

EXHIBIT A

LEWIS BRISBOIS BISGAARD & SMITH LLP

ELISE D. KLEIN, SB# 111712

E-Mail: Elise.Klein@lewisbrisbois.com

633 West 5th Street, Suite 4000

Los Angeles, California 90071

Telephone: 213.250.1800

Facsimile: 213.250.7900

Attorneys for Defendants ENVIROTECH
MOLDED PRODUCTS, INC. and
ENVIROTECH MOLDED PRODUCTS, INC.
EMPLOYEE BENEFIT PLAN

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

SALINAS VALLEY MEMORIAL
HEALTHCARE SYSTEM,

Plaintiff,

vs.

ENVIROTECH MOLDED PRODUCTS,
INC., ENVIROTECH MOLDED
PRODUCTS, INC. EMPLOYEE BENEFIT
PLAN,

Defendants.

CASE NO. 5:17-CV-3887-LHK

**DEFENDANTS ENVIROTECH MOLDED
PRODUCTS, INC. and ENVIROTECH
MOLDED PRODUCTS, INC. EMPLOYEE
BENEFIT PLAN'S RESPONSES TO
PLAINTIFF'S FIRST REQUEST FOR
INSPECTION AND COPYING OF
DOCUMENTS AND THINGS**

PROPOUNDING PARTY: Plaintiff, SALINAS VALLEY MEMORIAL HEALTHCARE
SYSTEM

RESPONDING PARTY: Defendants, ENVIROTECH MOLDED PRODUCTS, INC.,
ENVIROTECH MOLDED PRODUCTS, INC. EMPLOYEE
BENEFIT PLAN

SET NO.: 1

Defendants Envirotech Molded Products, Inc. and Envirotech Molded Products, Inc.
Employee Benefit Plan ("Defendants"), by their attorneys and in accordance with Rule 34 of the
Federal Rules of Civil Procedure and other applicable law, hereby responds to the first set of

4814-7523-7214.1

5:17-CV-3887-LHK

DEFENDANTS ENVIROTECH MOLDED PRODUCTS, INC. and ENVIROTECH MOLDED PRODUCTS, INC.
EMPLOYEE BENEFIT PLAN'S RESPONSES TO PLAINTIFF'S FIRST REQUEST FOR INSPECTION AND
COPYING OF DOCUMENTS AND THINGS

resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Defendants also object because the request seeks confidential and proprietary information.

Subject to and without waiving such objections, Defendants will produce the agreement between Envirotech and ELAP in effect during 2016 subject to the parties negotiating a confidentiality agreement and/or entry of a protective order.

REQUEST FOR PRODUCTION NO. 3:

All contracts or agreements between MBA Benefit Administrators, Inc. and ELAP Services, Inc., that relate to the Plan.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

Defendants object to this request because it is not relevant to any party's claim or defense and proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Defendants also object because the request seeks confidential and proprietary information.

Subject to and without waiving such objections, Defendants will produce any responsive documents in their possession, if they exist, subject to the parties negotiating a confidentiality agreement and/or entry of a protective order.

REQUEST FOR PRODUCTION NO. 4:

All contracts that cover, in whole or in part, any liability that Envirotech or the Plan may have had for medical expenses incurred under the Plan during calendar year 2016, including, but not limited to, "stop loss" contracts, reinsurance contracts, or indemnification agreements, regardless of whether those contracts were executed before or after the inception of this litigation.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

Defendants object to this request because it is not relevant to any party's claim or defense and proportional to the needs of the case, considering the importance of the issues at stake in the

1 action, the amount in controversy, the parties' relative access to relevant information, the parties'
 2 resources, the importance of the discovery in resolving the issues, and whether the burden or
 3 expense of the proposed discovery outweighs its likely benefit. Defendants also object because the
 4 request seeks confidential and proprietary information. Defendants further object because the
 5 request is overly broad.

6 **REQUEST FOR PRODUCTION NO. 5:**

7 All agreements pursuant to which any entity agrees to pay, in whole or in part, for
 8 Envirotech's and/or the Plan's defense of this lawsuit, including but not limited to attorney's fees
 9 and costs.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

11 Defendants object to this request because it is not relevant to any party's claim or defense
 12 and proportional to the needs of the case, considering the importance of the issues at stake in the
 13 action, the amount in controversy, the parties' relative access to relevant information, the parties'
 14 resources, the importance of the discovery in resolving the issues, and whether the burden or
 15 expense of the proposed discovery outweighs its likely benefit. Defendants also object because the
 16 request seeks confidential and proprietary information.

17 **REQUEST FOR PRODUCTION NO. 6:**

18 All contracts that govern to the administration of medical reimbursement claims submitted
 19 to the Plan during calendar year 2016 by any third party, including, but not limited to, any
 20 Administrative Service Agreements.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

22 Defendants object to this request because it is vague and ambiguous. Defendant further
 23 object because the request is overly broad in that it is not limited to contracts pertaining to the
 24 claims at issue in this action. Defendants object because the request is duplicative of previous
 25 requests. Defendants object to this request because it is not relevant to any party's claim or defense
 26 and proportional to the needs of the case, considering the importance of the issues at stake in the
 27 action, the amount in controversy, the parties' relative access to relevant information, the parties'

REQUEST FOR PRODUCTION NO. 13:

All documents that You have received from MBA Benefit Administrators that refer to "The Open Solution."

RESPONSE TO REQUEST FOR PRODUCTION NO. 13:

Defendants object to this request because it is not relevant to any party's claim or defense and proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Defendants also object because the request is vague, ambiguous, and overly broad.

REQUEST FOR PRODUCTION NO. 14:

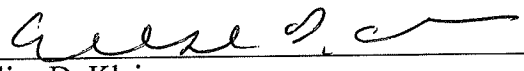
All communications that You have had with any insurance broker or consultant regarding MBA Benefit Administrators or ELAP Services, Inc.

RESPONSE TO REQUEST FOR PRODUCTION NO. 14:

Defendants object to this request because it is not relevant to any party's claim or defense and proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Defendants also object because the request is overly broad.

DATED: February 20, 2018

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: 
 Elise D. Klein
 Attorneys for Defendants ENVIROTECH
 MOLDED PRODUCTS, INC. and
 ENVIROTECH MOLDED PRODUCTS, INC.
 EMPLOYEE BENEFIT PLAN

FEDERAL COURT PROOF OF SERVICE

Salinas Valley Memorial Healthcare vs. Envirotech - Case No. 5:17-cv-03887-LHK

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to the action. My business address is 633 West 5th Street, Suite 4000, Los Angeles, CA 90071. I am employed in the office of a member of the bar of this Court at whose direction the service was made.

On February 20, 2018, I served the following document(s): **DEFENDANTS ENVIROTECH MOLDED PRODUCTS, INC. and ENVIROTECH MOLDED PRODUCTS, INC. EMPLOYEE BENEFIT PLAN'S RESPONSES TO PLAINTIFF'S FIRST REQUEST FOR INSPECTION AND COPYING OF DOCUMENTS AND THINGS**

I served the documents on the following persons at the following addresses (including fax numbers and e-mail addresses, if applicable):

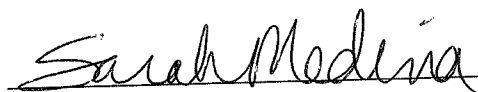
Eric D. Chan
Hooper, Lundy & Bookman, P.C.
1875 Century Park East, Suite 1600
Los Angeles, CA 90067-2517
Tel: (310)551-8111
Fax: (310) 551-8181
Email: echan@health-law.com

The documents were served by the following means:

☒ (BY U.S. MAIL) I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed above and I deposited the sealed envelope or package with the U.S. Postal Service, with the postage fully prepaid.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed on February 20, 2018, at Los Angeles, California.


Sarah Medina